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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chong-Shien Tsai : Group
Serial No: 10/658,288 : Art Unit #3637
Filed: 10 September 2003 : Examiner:
Title: STRUCTURE OF AN ANTI- SHOCK DEVICE : Phi D.T. A

TRANSMITTAL OF TERMINAL DISCLAIMER


Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant, by the undersigned Attorney, hereby submits a Terminal Disclaimer to obviate an obviousness-type double patenting rejection with Applicant's prior Patent 6,688,051. Applicant is submitting the attached Terminal Disclaimer to overcome a rejection made in the Official Action dated 2 July 2004.

A check in the amount of \$55.00 is hereby enclosed to cover the filing fees plus associated with this Terminal Disclaimer. If there are any further fees necessary in this filing, the Director of Patents and Trademarks is hereby authorized to charge deposit account number 18-2011 for such additional charges.

Respectfully submitted,
For: ROSENBERG, KLEIN & LEE


David I. Klein
Registration #33,253

Dated: 29 Oct. 2004

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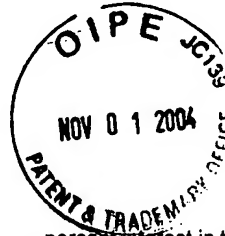
**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
MR933-562/DIV2

In re Application of: Chong-Shien Tsai

Application No.: 10/658,288

Filed: 10 September 2003

For: STRUCTURE OF AN ANTI-SHOCK DEVICE



The owner*, Chong-Shien Tsai, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,688,051 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 33,253

David I. Klein
Signature

10/29/2004
Date

David I. Klein
Typed or printed name

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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.